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Docket No. 59154-AZ/JPW/GJG

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Virginia W. Cornish
Serial No. : 10/705,644 Examiner: H.A. Robinson
Filed : November 10, 2003 Art Unit: 1656
For : AN IN VIVO SCREEN USING CHEMICAL INDUCERS OF
DIMERIZATION

1185 Avenue of the Americas
New York, New York 10036
July 17, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

RESPONSE TO JUNE 20, 2006 RESTRICTION REQUIREMENT

This is a Response to the Restriction Requirement issued June 20, 2006 in connection with the above-identified application. Accordingly, a response to the June 20, 2006 Restriction Requirement is due July 20, 2006 and this Response is being timely filed.

In the June 20, 2006 Restriction Requirement, the Examiner required restriction to one of the following allegedly distinct inventions as follows:

- I. Claims 133, 135-137, 141-147 and 150-157, drawn to a method for identifying a molecule that binds to a known target; and
- II. Claims 158-160, drawn to a method for identifying a protein target.

The Examiner alleged that the inventions are distinct, each from the other. The Examiner alleged that the claims of Group I and

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II are patentably distinct because 1) the methods are directed to different method steps and end points, 2) the methods purportedly acquired a separate status in the art, and 3) a reference which would anticipate one group would not necessarily anticipate or make obvious the other.

In response, applicant respectfully traverses the restriction for reasons which follow, but hereby elect Group II to be fully responsive to the June 20, 2006 restriction requirement.

Applicant traverses the requirement for restriction because the rationale expounded by the Examiner ignores the subject matter being claimed. As a result, the rationale does not support the requirement for restriction. Specifically, the claims of both purported Groups I and II recite an improved screening method, often referred to as a "three-hybrid" method. The improvement in applicant's claims being the use of methotrexate as one of the two members of the covalent inducer of dimerization ("CID") molecule employed in the "three-hybrid" method.

Accordingly, applicant's improvement is the linking feature of the pending claims. The improvement is equally applicable to the method of purported Group I as it is to the method of purported Group II. Indeed, one skilled in the art would find the June 20, 2006 restriction illogical.

Furthermore, the Examiner's assertion of a "burdensome" search is unfounded because a search for applicant's improvement would readily uncover art relevant to both purported Groups of claims.

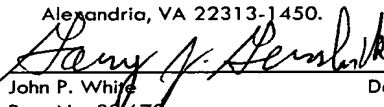
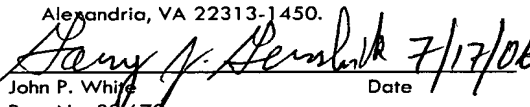
Therefore, applicant respectfully requests reconsideration of the June 20, 2006 restriction requirement upon further consideration of the subject matter being claimed, and respectfully request the


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logical withdrawal of the restriction requirement.

No fee is deemed necessary in connection with the filing of this Response. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:	
Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.	
 John P. White Reg. No. 28,678	 Date 7/17/06
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